

Question 9:

Novanet Inc. ("Novanet") desires streamlined processing pursuant to Section 63.12 of the Commission's rules. Novanet qualifies for streamlined processing under Section 63.12(c)(1)(ii) because although Novanet is affiliated with a foreign carrier in a destination market, Novanet qualifies for a presumption of non-dominance under Section 63.10(a)(3). As more fully described in response to Question 11 below, Novanet qualifies for a presumption of non-dominance under Section 63.10(a)(3) because the foreign carrier with which Novanet is affiliated is not a monopoly provider and does not have more than 50% of the market share for international transport or local access on the foreign end of the relevant routes.

The other restrictions set forth in Section 63.12(c) of the Commission's rules do not apply. Novanet does not have an affiliation with a dominant U.S. carrier whose international switched or private line services the applicant seeks authority to resell. And Novanet does not seek authority to provide switched basic services over private lines to a country for which the Commission has not previously authorized the provision of switched services over private lines.

Question 11:

63.18(i) – Novanet hereby certifies that it is affiliated with Novanet Limited ("NL"), a limited company formed under the laws of India because NL owns 100% of Novanet.

63.18(j) – Novanet hereby certifies that it seeks to provide international telecommunications services to India, where its foreign carrier affiliate NL is licensed to provide telecommunications services.

63.18(k) – India is a member of the WTO. In addition, NL lacks market power in India. NL has less than 1% of the market for telecommunications services and access lines in India.

63.18(l) – Novanet desires the authority to resell the international switched services of an unaffiliated U.S. carrier on the routes to India. Accordingly, pursuant to Section 63.10(a)(3), Novanet hereby certifies that NL is not a monopoly provider in India. Novanet further submits the following information to demonstrate that NL does not have sufficient market power on the foreign end of the routes to the countries specified above to adversely affect competition in the U.S. market: NL has less than 1% of the market for telecommunications services and access lines in India.

63.18(m) – Novanet desires to be classified as non-dominant. Novanet submits that the information set forth above for Section 63.18(l) demonstrates that it is presumptively non-dominant under Section 63.10(a)(3) of the Commission's Rules.

Question 12:

As described above, Novanet desires to be authorized to provide international telecommunications services to, among other countries, India, where it has a foreign carrier affiliation as described above.

Question 15:

- (d) Novanet has not received authority previously under Section 214 of the Communications Act.
- (e) Novanet certifies that it will comply with the terms and conditions contained in sections 63.21, 63.22 and 63.23 of the Commission's rules.
- (f) At this time, Novanet seeks no other authorization available under Section 63.18(e).
- (g) Not applicable.